

**RULES
OF
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
CHAPTER 0400-5-1
FEES FOR COPIES OF DEPARTMENTAL PUBLIC RECORDS**

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0400-5-1-.01 Fees for Copies of Departmental Public Records

0400-5-1-.01 FEES FOR COPIES OF DEPARTMENTAL PUBLIC RECORDS

(1) Purpose.

This rule is promulgated for the purpose of establishing fees to be charged for copies of the Department of Environment and Conservation's public records.

(2) Definitions.

- (a) "Routine Copy", is a paper copy that requires minimal staff assistance to be made (e.g., pages that are either 8½ x 11 or 8½ x 14, which can be automatically fed into a standard copier or which can be automatically printed from electronically stored records).
- (b) "Non-Routine Copy" is a copy that requires staff assistance beyond that needed to make a routine copy (e.g. bound documents, oversize pages, odd size pages, search of files or electronically stored data, manipulation of electronically stored data).
- (c) "Commissioner's Designee" means Directors, Environmental Assistance Center Managers, Program Managers and/or Park Managers.

(3) Copy Fee.

- (a) The charge for routine copies is \$0.10 per one-sided page.
- (b) The charge for non-routine paper copies shall be a minimum of \$0.40 per one-sided page. The charge for non-routine electronic copies shall be a minimum of \$5.00 per floppy disk and \$10.00 per CD disk. In their discretion, the Commissioner or the Commissioner's designee may add to this minimum charge an amount deemed necessary to recover the Department's cost to produce the requested copy. Such additional charge may include, but is not limited to, a reasonable portion of the amount expended by the Department in gathering and posting data, computer program development cost, consultant cost, etc.

(4) Payment.

Payment in full shall be made in advance of copies being made. Checks should be made payable to:

Treasurer, State of Tennessee

(5) Copy Fee Waivers.

The Commissioner or the Commissioner's designee may waive fees that are otherwise due pursuant to this rule if they determine that the person seeking such waiver is indigent, or if, in their opinion, such waiver serves the public welfare. Such waivers will be liberally granted; however, excessive or

(Rule 0400-5-1, continued)

unreasonable requests may be denied. Further, the Commissioner or the Commissioner's designee may, in their discretion, provide copies of rules, guidance documents, public reports, etc., at no charge.

Authority: *T.C.A. § 4-5-201 et seq. and §11-1-10 1 (f).* **Administrative History:** *Original rule filed January 19, 2001; effective April 5, 2001.*